

Message Text

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ACTION EB-08

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FM AMEMBASSY BELGRADE
TO SECSTATE WASHDC 9992

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E.O. 11652: N/A
TAGS: EIND, YO
SUBJECT: NEW YUGOSLAV LAW ON THE MARKETING OF DRUGS

REF: STATE 62316

1. COPY OF OFFICIAL SERBO-CROATION TEXT OF THE LAW IS BEING POUCHED
AS REQUESTED IN REFTEL.

2. EMBASSY TRANSLATION OF ARTICLE 27 (5) IS AS FOLLOWS:
PROPOSAL FOR DRUG MARKETING IS SUBMITTED TO A COMPETENT FEDERAL
MANAGEMENT ORGAN.
THE PROPOSAL FOR DRUG MARKETING INCLUDES:
5) PROPOSAL FOR DRUG'S BRAND NAME AND EVIDENCE THAT THE MANUFACTURER
IS THE EXCLUSIVE BEARER OF ALL RIGHTS FOR THE BRAND NAME OF THE DRUG
I.E. THE OWNER, UNLESS A GENERIC (UNIVERSAL-GENERAL) NAME IS
IN QUESTION.
THE KEY DIFFERENCE IS IN THE TRANSLATION OF THE SERBO-CROATION WORD
"NOSILAC". TRANSLATION IN REFTEL WAS OWNER (OF THE RIGHTS).
EMBASSY TRANSLATION, WHICH HAS BEEN CONFIRMED BY A COUNSELOR OF
THE FEDERAL COMMITTEE FOR HEALTH IS BEARER (OF THE RIGHTS).
COUNSELOR ALSO STATED THAT EXCLUSIVE YUGOSLAV LICENSEE OF A
US TRADEMARK WOULD MEET THIS CRITERIA AND COMPLETE OWNERSHIP
WOULD NOT HAVE TO BE TRANSFERRED. EXACT OWNERSHIP RIGHTS WOULD
BE DETERMINED IN NEGOTIATIONS BETWEEN THE TWO PARTIES.

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3. WHILE OUR INFORMATION SEEMS RELIABLE, CONSULTATION BY THE
FIRM WITH A YUGOSLAV LAWYER IS OUR RECOMMENDATION. WE HAVE
INCLUDED A LIST OF LAWYERS WITH THE TEXT OF THE LAW FOR USE BY
THE COMPANY.
YORK

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Message Attributes

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Disposition Comment:
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